United Nations S/2003/1209

Security Council

Distr.: General
29 December 2003
English
Original: French

The situation in the Central African Republic and the activities of the United Nations Peace-building Support Office in the Central African Republic

Report of the Secretary-General

I. Introduction

1. This report is submitted pursuant to the request of the Security Council contained in a statement by its President on 26 September 2001 (see S/PRST/2001/25) in which the Council requested me to keep it regularly informed of the activities of the United Nations Peace-building Support Office in the Central African Republic (BONUCA) and the situation in that country.

2. The report covers the period from July to December 2003 and relates the major developments in the Central African Republic in the political, security, military, economic and social fields, and in the area of human rights, as well as the activities of BONUCA, since my last report dated 20 June 2003 (S/2003/661). It places particular emphasis on the national dialogue held from 15 September to 27 October 2003 and on the urgency of implementing the recommendations adopted.

II. Political situation

3. The period under review was marked by three significant events: the activities of the National Transition Council (NTC), the national dialogue, and General François Bozizé's recent appointment of Mr. Célestin Le Roi Gaoumbalet, a retired former official of the Banque de développement des Etats d'Afrique Centrale and the Banque populaire Maroco-Centrafricaine, as Prime Minister. Mr. Gaoumbalet replaced Professor Abel Goumba, who has been named the country's Vice-President.

4. Endowed with a consultative status and charged with assisting the Head of State and the Government in legislative matters, the Council held its first ordinary session from 21 July 2003 to 4 September 2003. On that occasion, it adopted a draft regulation conferring immunity upon Council members, and three recommendations, namely, that the Government respect the commitments it made to the European Union on 12 June 2003, that the national dialogue be resumed, and that the Government be required to explain its actions.

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5. At the Council's extraordinary session, held from 21 October to 7 November 2003, two draft ordinances were adopted, on the suppression of acts of destruction, degradation and looting, and on the illegal possession and use of firearms. Council members also considered the Government's general policy programme, but did not adopt it, on the grounds that it was unrealistic, ambitious, and expensive, and did not take into account the recommendations of the national dialogue.

6. At its second ordinary session, held from 21 November to 21 December 2003, the Council adopted a number of other draft ordinances, particularly those concerning the supplementary budget.

7. At the Government's initiative, the national dialogue (preparations for which had been delayed by the coup d'état of 15 March 2003) was held from 15 September to 27 October 2003. The main purpose of the dialogue was to assess the situation in the Central African Republic, and to consider the steps necessary for national reconciliation. It was attended by 350 delegates from within the country and from abroad, and was divided into five large committees, which held substantive discussions.

8. The dialogue was officially closed on 27 October by Head of State General François Bozizé, in the presence of numerous foreign dignitaries, including the President of Gabon, Mr. El Hadj Omar Bongo-Odimba, the principal sponsor of the national dialogue, and the Congolese Head of State, Mr. Dénis Sassou Nguesso, the current president of the Central African Economic and Monetary Community (CEMAC) and of the Economic Community of Central African States (ECCAS). Important recommendations were adopted, as well as a solemn declaration. The political recommendations concerned the electoral process, namely, the adoption of a new Constitution, revision of the Electoral Code, and the establishment of a new census-based electoral list.

9. Within this context and acting on a request by the Government of the Central African Republic, the Under-Secretary-General for Political Affairs and the Coordinator of Electoral Activities sent a needs assessment mission to Bangui. The mission visited the capital city of the Central African Republic from 23 November to 13 December 2003 and will submit to the Under-Secretary-General for Political Affairs an internal report, together with recommendations concerning the material and/or technical support that the United Nations system might provide in the preparation and holding of general elections.

10. With regard to the advancement of women, the national dialogue strongly recommended the effective implementation of the Convention on the Elimination of All Forms of Discrimination against Women, respect for the 35 per cent quota of women in decision-making bodies, and the provision of psychological counselling to female victims of the political and military crises of the 2001-2003 period.

11. The solemn declaration adopted at the conclusion of the national dialogue reaffirmed the uniqueness and indivisibility of the State, and declared tribal hatred and division to be crimes against the State. A firm commitment was made to promote the values of national unity, genuine democracy, freedom of press and opinion, justice, and good governance.

12. The participants in the national dialogue expressed their strong determination to promote national unity and reconciliation. Many statements of forgiveness and reconciliation were made by various prominent individuals, marking the beginning

of a true reconciliation process. However, I noted the arrest, shortly after the conclusion of the national dialogue, of the former Director-General of President Patassé's special security unit, who was accused of murder, attacks against State security, and other crimes.

III. Security and military situation

13. Since my last report to the Council, the security forces in the capital have been strengthened, following rumours of incursions by mercenaries into Bangui. Security operations are frequently carried out by the defence and security forces, but they are often incompetent. Instances of hold-ups, rape, murder, and armed robbery have been reported. Abuses have in some cases been committed by members of the security forces, in particular the "liberators", and this is a major cause for concern.

14. The discovery of arms and ammunition in the heart of Bangui's commercial centre demonstrates the fragility of the security situation, which has recently deteriorated significantly in the capital city. The situation continues to be exacerbated in the country's interior by the phenomenon of "road-blocking", especially on the main highways. Since it is unable to operate outside the capital, the CEMAC Force is carrying out periodic patrols along the country's main supply routes. However, these initiatives fail to deter the armed groups, which re-emerge as soon as the subregional force has passed by.

15. The national dialogue and external partners willing to lend their support to the Central African Republic during the transition period have strongly recommended that security be restored to the country before general elections are held. It is therefore essential that deployment of the defence and security forces be supplemented by a strengthened CEMAC Multinational Force, both in terms of equipment and troops, so that it can operate in the interior of the country while also helping to restore security to Bangui.

16. The process of restructuring the Central African Armed Forces (FACA) continues. At present, France is helping to train and equip three battalions. The BONUCA military section is assisting with this training programme, and has also continued its activities in the areas of technical support, programme monitoring, data collection, security assessment, and disarmament.

17. In support of the National Technical Commission for Disarmament (CTND), the BONUCA military section participated actively in the organization of an important official ceremony for the burning of weapons, ammunition, explosives, and other recovered military equipment, which was held on 25 July 2003. It also registered the return to Bangui of some 400 soldiers who had taken refuge in the Democratic Republic of the Congo (DRC) following the attempted coup d'état of 28 May 2001. More than 90 per cent of these former combatants have now been reintegrated into the national armed forces.

18. The BONUCA Civilian Police Section has also continued its activities, particularly with respect to monitoring the security situation and strengthening the capacities of the police and the national Gendarmerie (military police). In this context, it organized training for 120 police officers and 190 gendarmes in general and professional ethics, maintenance of law and order, command structures, criminal investigation, and traffic control.

IV. Economic and social situation

19. The economic situation remains precarious, with negative economic growth expected for this year. This situation has arisen because of the State's grave cash flow problems, due primarily to the discontinuation of the cooperation programme between the Government and the Bretton Woods institutions. As a result, the country has not received financial assistance from the Bretton Woods institutions for several months. With a view to exploring ways and means of rapidly resuming this cooperation, which is vital to the recovery of the country's economy, consultations were held in Paris, from 30 October to 7 November 2003, between representatives of the Government and officials of these institutions.

20. The Government has also begun discussions with the European Union with a view to resuming its cooperation with that institution. A guidelines and strategy document, containing a number of commitments, has been submitted to the European Commission.

21. Within the context of these commitments, the Government held meetings with leaders of the mining sector in July, and with leaders of the water, forestry, hunting and fishing sectors in September. These meetings were designed to help the Government combat fraud, smuggling, and the rampant exploitation of the country's natural resources with a view to the sustainable revitalization of these sectors.

22. An interim report outlining the steps taken by the authorities to honour their commitments was also submitted to the European Commission for its consideration on 12 September 2003.

23. After reviewing the interim report, the European Union recognized that some commitments had been the subject of encouraging initiatives, but also expressed concern about shortcomings in a number of areas and, as a result, partially suspended its cooperation with the Central African Republic. This was the case with road construction and macroeconomic support projects. However, it has agreed to continue cooperation on a progressive basis, particularly in the social sphere (health care and direct support to the population), as well as in the areas of electoral assistance, good governance and the reform of public finances.

24. I welcome this encouraging initiative and urge the Central African authorities to translate into action their determination to redouble their efforts to honour all their other commitments in order to ensure the rapid resumption of all facets of their cooperation with the European Union.

25. The national dialogue urged the authorities to improve their management of State-owned financial agencies in order to increase income levels. In this regard, I welcome the effective cooperation of the Japanese authorities who, within the context of bilateral relations, provided the Central African Republic with a major donation of computer equipment with a view to computerizing, and modernizing the management of the State-owned financial agencies.

26. The situation with respect to public finances continues to be a matter for serious concern. The level of budgetary revenue remains very low, with total revenue for the year 2003 standing some 25 per cent below that of the previous year. In this regard, arrears owed to multilateral and bilateral creditors continue to rise and are now extremely high (150.6 billion CFA francs in November 2003).

27. The financial situation of public companies is also very precarious, especially that of Société d'énergie centrafricaine (ENERCA) and of Société centrafricaine de télécommunications (SOCATEL). Furthermore, the sale of Société cotonnière centrafricaine (SOCOCA) appears to be in jeopardy, due to the break-up of its assets during the recent political and military events, particularly those of 15 March 2003.

28. With respect to social matters, the new authorities, who froze the salary arrears payable by previous Governments, have in some cases been able to make outstanding salary payments to civil servants and other State officials thanks to the generosity of its partners, including France, China, and the States members of CEMAC, and were thus able to ensure the resumption, with some delay, of the 2003-2004 school year.

29. These payments have not been easy to make, and have been somewhat delayed during the fourth quarter of this year. Participants in the national dialogue recommended that the Government work with its partners to seek appropriate ways and means to guarantee the regular payment of outstanding scholarships, pensions, and salaries.

V. Human rights situation

30. During the period under review, the expected improvement in the human rights situation has not occurred. In fact, the situation has deteriorated. Human rights violations have been documented,, particularly incidents of rape, theft, abduction, torture, and violations of the right to life.

31. Some positive developments have nonetheless been observed: the acceleration of the process of reintegrating former military and civilian refugees; the definitive lifting, on 31 October 2003, of the curfew that had been in place since 15 March 2003; the strengthening of the process of re-establishing the National Human Rights Commission; the Government's issuance, on 23 August 2003, of birth certificates to 97 pygmy children, effectively recognizing them as citizens of the Central African Republic and affirming of their civil rights; and the representation of ethnic minorities on the National Transition Council and in the national dialogue.

32. The BONUCA human rights section continued to monitor and investigate human rights violations, and to conduct its awareness-raising programme. It devoted the fifth edition of its human rights monthly to the human rights of pygmy minorities and vulnerable groups, and dedicated a special edition to the memory of Mr. Sergio Vieira de Mello, the former United Nations High Commissioner for Human Rights.

33. The Human Rights Section also continued its efforts to strengthen national capacities for the promotion and respect of human rights, by holding workshops, particularly in the provinces, on "human rights and local communities" and "human rights and international humanitarian law" for village, district, and group leaders, religious leaders, and law enforcement officers. On 24 October 2003, BONUCA awarded the 2002 human rights prize to the Catholic Church of the Central African Republic.

34. The information unit continued to support the human rights section in its efforts to promote and disseminate fundamental human rights principles, thanks to a dynamic partnership between BONUCA and local radio stations, such as Radio

Ndéké Luka. It has also continued to promote the protection of press freedom, by supporting media organizations and improving journalists' skills. The information unit conducts an ongoing national awareness-raising campaign on the culture of peace and tolerance, which is designed to effect a gradual change in attitudes and behaviour.

VI. Observations

35. The overall situation in the Central African Republic is changing slowly. It is less troubled than it was before the national dialogue, when the atmosphere was often charged with suspicion and rumours — mostly unfounded — of the destabilization of the regime.

36. However, I am gravely concerned by the re-emergence of acts of rape, hold-ups, and violations of the right to life perpetrated in the country's hinterland and in Bangui. As indicated in my previous report to the Security Council, and as recognized unanimously by delegates to the national dialogue, control of the security situation remains an essential prerequisite for the normal functioning of the State, a smooth transition, and the holding of the upcoming elections. With this in mind, I would urge the authorities of the Central African Republic to ensure that these violations do not go unpunished, by bringing their perpetrators to justice.

37. I share the unanimously held view that only a general and complete disarmament supported by the regular payment of salaries to civil servants and State officials, and the effective restoration of security throughout the country will make it possible to hold credible and transparent elections. I therefore invite the partners and friends of the Central African Republic to redouble their efforts to help strengthen the CEMAC Multinational Force, with a view to restoring security to the country, both in Bangui and in the rest of the country. At the same time, the Government should proceed with the adoption of a new basic law and a revised electoral code, and carry out an electoral census, in accordance with the recommendations of the national dialogue.

38. I therefore believe that the international community can provide assistance in the electoral process and humanitarian assistance simultaneously, through a gracious response to the consolidated appeal of the United Nations system. If this concern is not taken into account, the Central African Republic will return to a situation of instability, with incalculable consequences for its people and the entire subregion, where peace remains fragile.

39. The Government authorities and the committee for follow-up to the actions of the national dialogue have welcomed the multifaceted support and technical assistance provided to the national dialogue by BONUCA and other agencies of the United Nations system. On this basis, they hope to receive assistance from the partners and friends of the Central African Republic in implementing the recommendations adopted, with a view to enabling the people of the Central African Republic to break with their tragic past for once and for all and channel their energy and resources into the consolidation of the rule of law and development activities.

40. Pursuant to its mandate, BONUCA will continue to follow the evolution of the situation throughout the country, notably in the political and security spheres, as well as with respect to human rights. My Representative will use his good offices

and shall offer guidance to the parties concerned, with a view to maintaining the present fragile consensus until constitutional legality is restored.

41. It is of paramount importance, at this crucial stage in the transition, that the international community and the bilateral partners, whose support remains essential, gauge the true extent of the Central African Republic's urgent needs and the determination expressed by its people to restore constitutional order in 2003. In this connection, I appeal once more to the generosity of friendly countries and the donor community to assist the new authorities in their multisectoral efforts, particularly the restoration of security, in order to ensure the rapid return to constitutional legality through the holding of credible, transparent, and democratic elections.

42. I wish to express my gratitude to the leaders and organizations of the subregion, in particular CEMAC, for the constructive role they have played in the Central African Republic. I also wish to pay homage to the United Nations family on the ground in the Central African Republic and to my Representative, General Lamine Cissé, for their devotion and their contribution to a peaceful transition.